

Logging in the Congo Basin.

What hope for indigenous peoples' resources, and their environments?

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The Congo Basin

The Congo Basin in Central Africa contains some of the largest and most biodiverse tracts of rainforest areas left in the world, second in size only to the Amazon Basin. They are also home to an estimated 29 million rural people,¹ including up to 500,000 indigenous "Pygmy"² hunter-gatherers and former hunter-gatherers.³

In the last century, Congo Basin forests have been targeted for intensive exploitation by outsiders seeking ivory, wild rubber, skins, bushmeat, timber and, more recently, plantation products such as coffee, cocoa, rubber and palm oil. In the past half century, logging companies have become increasingly active. Local and indigenous communities have always been crucial to the success of this commerce and industrial activity. Despite this, the bulk of the profits from the exploitation of these goods usually ends up in the pockets of outsiders. In the past, local people's collaboration with these outsider-dominated extractive industries was ensured through a variety of means that included direct coercion or forced labour,⁴ slavery and, more frequently in recent times, in exchange for very low wages or in-kind payments. This remains the case in many areas today.

Throughout the region, indigenous Pygmy communities face stigmatisation and severe social, political and economic marginalisation from their villager neighbours who dominate the economy, the state and its structures. Many villagers in the region consider Pygmy peoples to be like animals, who must be kept away from villager places, who cannot share food or drink from the same bottle or cup, and who have no basic rights. Many such groups attempt to exploit this for economic benefit and claim special rights over the labour and persons of Pygmy people. They often talk about these claims over Pygmies in terms of slavery and serfdom. Like many other Pygmy peoples, Mbendjele Pygmies in the Republic of Congo object to these claims of ownership by others, but see little use in rejecting them publicly since they view the villagers as dangerous but temporary inhabitants of their forest. From their point of view, non-Pygmy people are simply passing through their forest, whereas Pygmy peoples never leave the forest regions.⁵ Indeed, many non-Pygmy communities in the Congo Basin established themselves in remote forest areas due to their immigration in search of employment, minerals or trade, and afterwards remained to cultivate or establish plantations.⁶ Many depend upon Pygmy labour to maintain their plantations today.⁷

Threats for forests, and people

Different groups from outside the forest continue to dominate the bushmeat trade and logging. In recent years, as a result of a complex of factors, but especially urban population growth, the commercial demand for bushmeat has grown, along with the international market demand for African hardwoods.⁸ In most places in the Congo Basin, the exploitation of timber and bushmeat are linked. The introduction of logging is usually

associated with road construction, labour immigration and the development of substantial local infrastructures. Routinely this leads to the emergence of commercial bushmeat trading networks to serve local demand. These almost inevitably become linked to urban markets, resulting in the establishment of networks dominated by traders and professional hunters. These lucrative networks are often controlled by wealthy and powerful elites.

Reports from indigenous communities in Cameroon, Gabon, Central African Republic and the Republic of Congo over the past 5 years suggest that this is leading to steadily increasing competition for forest products between indigenous communities and these urban-based networks, further threatening indigenous communities' forest-dependent livelihoods.⁹ In some areas of the Congo Basin, communities are actively threatened by outside poachers, who are usually armed with high-powered weapons, as opposed to the traditional hunting tools of indigenous Bagyeli or Baka Pygmies.¹⁰

This increasingly intensive exploitation of forest resources by outsiders is escalating threats to forest and wildlife across the entire region. This is having profound negative consequences on indigenous peoples' access to forest and forest resources. Many indigenous communities are now trapped between the competing interests of powerful lobbies from outside their forests. These include international logging companies, who obtain *de facto* control over local development in their concession areas and remove certain key tree resources intensively; commercial meat trading networks who use the logging infrastructure to empty many forest areas of game; unregulated safari operators who attempt to block communities from accessing remaining areas of good forest, and international conservation organisations who have reacted to the very real threats to wildlife by imposing militaristic wildlife protection regimes as a crisis management tool. The result for indigenous forest people is that they find it increasingly dangerous and difficult to get access to crucial forest resources upon which their culture and livelihoods depend.

In relation to logging in the Congo Basin, the colossal power differences between industrial companies and these communities means that forest peoples' concerns are of little consequence for industrialists' decisions concerning the use of forest resources. Logging companies generally obtain rights over forest resources through permission from central government without any need to consult or otherwise involve local forest people in the management of the areas they both occupy. This, despite the resources under industrial exploitation being essential for the survival and well-being of the poorest and most vulnerable groups in the region.

Official responses to the threats

With significant international support over the past decade, national governments have responded to the threats to forest and wildlife by establishing parks, reserves and other types of protected areas. These measures are increasingly backed up by inter-governmental agreements to promote biodiversity conservation.¹¹ This has led to rapid growth of the Congo Basin protected areas network. Across Central Africa,¹² over 450,000 square kilometres now fall into protected areas,¹³ comprising almost 11% of the region; an area the size of Cameroon. The total area targeted for conservation in the Congo Basin by international conservation agencies is almost three times this amount.¹⁴

The significant investment in protected areas by international donors entailed by this strategy has in recent years become coupled with the development and application of

new laws and rules governing access to and use of forests, especially those governing logging.¹⁵ This includes promoting greater accountability in the allocation of logging concessions, along with the introduction of certification schemes for logging operators.

The Forest Stewardship Council (FSC) scheme is one of an array of certification schemes being used to make this happen in the Congo Basin. It is the largest certifier in the tropics,¹⁶ and the most popular in Central Africa.¹⁷ The FSC aims to promote responsible forest management of the world's forests by promoting environmentally appropriate, socially beneficial and economically viable management of the world's forests. FSC inspections and audits are carried out by certifying bodies that are supposed to be independent, but who are paid for their services by the logging companies they audit.

Once FSC certified, logging companies can sell their timber in Europe for up to 30% more per cubic meter. Given the high cost of oil, this extra profit is an important incentive to companies in land-locked parts of the Congo Basin. Additionally, those wishing to continue trade with the European Union are aware that the country in which they operate will have to make a formal agreement with the EU focused on assuring that their timber exports are fully legal. The FSC stamp on their timber guarantees its legality and therefore assures long-term access to EU markets.

The case of *Congolaise Industrielle des Bois* (CIB), Northern Congo

For the past 5 years, the logging company *Congolaise Industrielle des Bois* (CIB) has been working to meet FSC standards as set out in the FSC principles and criteria.¹⁸ One of their five concessions is now FSC certified. They are working towards certifying their entire operation, covering some 1,300,000 hectares in the Sangha Region in the northern part of the Republic of Congo. With support and guidance from the Tropical Forest Trust (TFT), CIB is taking the spirit of the principles expressed in FSC seriously. This has involved the company in a long-term process of steady improvement in its understanding of the ecosystem it is harvesting from, and on developing procedures that seek to minimise the inevitable impacts of timber extraction on both the forest and the indigenous people who depend upon it. The seriousness of the commitment taken by CIB to achieve FSC principles and criteria has made possible new relationships with the indigenous peoples in their concessions that could become a model for other companies to aspire to.

In the late 1990s, CIB set up a management plan office to coordinate the research required to complete a forest inventory of all their concessions, to systematically develop reduced impact logging procedures adapted to local conditions, and to commission socio-economic studies amongst the approximately 25,000 inhabitants of the area. In addition to numerous consultants with expert knowledge in key areas, CIB employed seven officers and 140 field workers who walked the length and breadth of their 1,300,000 hectare concession for three years counting and measuring over 800,000 trees of commercial interest and mapping forest areas. Faunal inventories indicated the presence of 9,500 forest elephants, 4,000 chimpanzees and 23,000 gorillas and forest zoning protects their key resources. Using specially developed mapping tools, non-literate indigenous peoples are being supported to map their key resources prior to logging in their traditional forest areas, and so ensure their resources are not damaged or removed without their free, prior and informed consent. CIB uses these diverse sources of

information to plan tree harvesting in a way that aspires to minimising disruption to the forest ecosystem and mega fauna, while seeking to avoid damage to key resources for livelihoods or sites of special religious or cultural significance for indigenous people.

Recognition of indigenous peoples' rights

CIB has formally recognised indigenous peoples' rights to their traditional areas and resources everywhere in their concessions, and agreed to establish processes to ensure that timber harvesting will take place only after obtaining their free, prior and informed consent (FPIC). The Tropical Forest Trust has helped CIB to secure World Bank funding for a project to develop mapping tools adapted to the needs of indigenous people, and a radio station that will broadcast in indigenous languages to facilitate information sharing and dialogue. With support from Helveta Ltd, a software company in the UK, the project developed computer mapping tools incorporating iconic software and automated GPS recording processes for use by non-literate people to map their key resources. No literacy is necessary to accurately record the coordinates of key resources that industrial activities threaten.

The community-owned maps produced in this process are a new language by which communities can make their concerns known to company managers. The maps enable company managers to efficiently and systematically incorporate local forest peoples' concerns into their forest management planning and identify any potential areas of conflict for follow-up negotiation and discussion. Where differences in power and language make face-to-face communication difficult and often ineffective, this technology enables both parties' concerns to be considered equally. CIB can now prove that they are respecting the key resources indigenous peoples have indicated to them, and that they are taking the necessary steps to demarcate and protect them from damage during harvesting. In the case of disputes, CIB are in the process of developing a conflict resolution mechanism acceptable to all parties. Outside NGOs have agreed to monitor this mechanism to ensure that conflicts are resolved with the free, prior and informed consent of disputants.

The community-based mapping process that CIB supports will enable all indigenous communities to document their forest use for themselves, in line with FSC principles. The maps provide the community with evidence of their forest use and key resources. Presently, these are used to negotiate with CIB in a meaningful and concrete way. Over time an increasingly detailed map of indigenous forest use in the concessions will emerge that may prove useful in future cases of disputes or competing claims for forest areas. This institutionalized mechanism for documenting community use and protecting it in forest planning is providing a model for the Congo Basin. In Congo, it is contributing to on-going discussions about legal protection for these rights by the government.

Community radio

The planned community radio will seek to bridge the literacy divide and so enable forest-based indigenous communities to become aware of their rights and participate in a dialogue among themselves over their concerns and other issues of interest. Topical radio reports made by members of the indigenous communities in their own languages will promote informed debates that will contribute to equipping them with the knowledge

necessary to engage meaningfully with company managers. Forest managers will be able to use the radio to reliably inform forest people about issues they need to discuss or consider in the course of forest management.

Similarly, whole communities will be able to listen in to what the managers are saying in meetings with other members of their communities, and how their colleagues responded. This will make meetings more inclusive than they could ever have been before and allow all sections of the community – men, women and children – to participate and begin to understand the issues. This seeks to avoid many of the pitfalls associated with imposing representatives on egalitarian peoples and then taking important decisions with them, and hoping they will communicate with the rest of the group they purportedly represent. Much of this is in the process of being realized. But with continuing commitment from CIB, it seems a reasonable expectation to assume that the radio will achieve many of these goals.

Remaining challenges

Other issues remain with the mapping process. Heavy-handed behaviour by ecoguards against semi-nomadic indigenous people has led to a breakdown in traditional forest use. People are frightened to hunt and to visit more remote forest areas. They are frequently searched, threatened and even beaten by ecoguards. This may mean that, despite CIB's best efforts, the indigenous mapping will not be complete, since people may forget to mention resources they have not used for several years. Additionally, although the maps are comprehensible to those community members that helped create them, for many others they remain difficult to read and even confusing. These issues are being addressed, but are not yet resolved.

Some local NGOs have agreed to act as independent monitors of social issues on the CIB concessions. This openness to outside scrutiny led to one of the partners, the *Observatoire Congolaise des Droits de l'Homme* (OCDH) making case studies of some of the abuses people reported ecoguards as having committed. OCDH formally protested to the Wildlife Conservation Society (WCS), responsible for managing the ecoguards. The WCS ran its own investigation into the claims and reported that, as a consequence, they sacked certain ecoguards, are in the process of reforming the system, and have included modules on public relations and human rights in training sessions. Only with continued monitoring will it be possible to tell whether these changes have addressed the problem, or if further action is required.

Although many hurdles remain, the CIB case suggests that when the FSC process is conscientiously followed and its principles seriously applied it has the potential to transform the practice of timber extraction into one of forest stewardship that respects the rights of all key forest users and assures the long-term future of the forest through sustainable harvesting. But the current process is still fragile, depending heavily on the goodwill and determination of certain key individuals to keep the company on-track until the FSC principles are fully digested by all stakeholders, and institutionalized into all of the local management structures.

Is the FSC protecting community rights or not?

The validity of an FSC certificate as a means to ensure that a forest is sustainably harvested and responsibly managed is currently being undermined. While companies such as CIB have made massive financial investments to obtain a robust certificate,

others appear much less committed. Some of these companies, and their FSC certifiers, appear to be cutting corners in order to secure certificates as fast as possible in order to gain quick access to, and a market share of, the high value markets in Europe and elsewhere. The result is a slow slide towards process indicators (i.e., *they are on the right track*) rather than achievement of the standard as expressed in the FSC Principles. This inevitably results in the acceptance by certifiers of a lower standard of proof.¹⁹ The result is what some regard as non-credible FSC audit processes resulting in questionable certificates being issued. In Cameroon, for example, a clutch of European logging companies are rushing along the FSC path, despite a howl of criticism about the very low standards being accepted by FSC certifiers.

This rush towards certification and the consequent downward tumble of FSC standards in the Congo Basin can be partly explained as a structural problem of certification schemes operating in a free market. Since FSC does not represent timber companies, international auditing companies act as the middlemen between the companies seeking certification and the certifying body. These auditors compete with each other to get clients amongst the timber companies. Market pressures are therefore considerable for them to be seen to be successful and to get the companies they audit certified. Otherwise, other potential customers will not want to use their services. In consequence, some auditors appear to be prepared to turn a blind eye to failures to address the more difficult criteria, while the FSC continues to remain silent about the slide in quality in the Congo Basin.

Enough evidence now exists to define what constitutes a robust FSC certificate in the Congo Basin. The FSC needs to be more proactive: working to iron out the unacceptably different standards of auditors, offering clearer guidance to those seeking the certificate, and dealing decisively and quickly when it is clear that there are serious doubts about a certificate that has been granted. The FSC should maintain its standard. Otherwise what is the point of the FSC?

If the FSC loses further credibility amongst Congo Basin stakeholders, then indigenous communities are going to suffer, and the continuing hard work of forestry companies seriously seeking to respect the letter and spirit of FSC principles and criteria will be undermined. As a result, companies seeking FSC certificates will have no incentive to do the substantial work required to address the social responsibility principles and criteria that can have such positive impacts on the recognition of and respect for local forest peoples' rights. What is clear from the CIB case is that when a logging company does decide to do things properly it can herald in massive changes for forest people that were unthinkable a decade ago.

Notes

¹ Population estimates for this region vary widely, with some suggesting up to 50 million forest dwellers in the Congo Basin..

² The term "Pygmy" is sometimes used in a pejorative manner. This is not the intention here. In this article the term is used as a general and widely-understood term to refer to the estimated 500,000 indigenous hunter-gathering and former hunter-gathering peoples who dwell in the forested regions of Central Africa, and are known locally by their own names, such as Baka, Bagyeli, Bayaka, Bambendjele, Babongo, Batwa, Ba'Cwa, Basua, Efe (see map).

³ Due to their socio-economic marginalisation, and their semi-nomadic lifestyle, population data for indigenous hunter-gatherers is very sparse. This figure is based upon data currently available, along with estimates and projections by field researchers.

⁴ For example during the wild rubber trade.

⁵ See **Lewis, 2002**: *Hunter-gatherers and their World*. PhD Thesis University of London, 2002: 208.

⁶ For example, Pokola in northern Republic of Congo, now has a population of over 15,000 people. In 1999 the population was around 9,000.

⁷ In most rural places in the Congo Basin, the phrase “local and indigenous communities” refers to local sedentary communities concentrating on farming, but also hunting, living alongside indigenous, and often semi-nomadic, hunter-gatherer “Pygmy” communities. Many local communities originating from outside their current area recognise that their ancestors arrived to find indigenous Pygmy hunter-gatherers already using the forests.

⁸ Europe and China now dominate this demand.

⁹ Forest Peoples Programme (www.forestpeoples.org) .

¹⁰ In and around Campo Ma’an National Park and the Dja Wildlife Reserve, for example (www.forestpeoples.org) .

¹¹ For example, the Convention on Biological Diversity, an international treaty committing nations to biodiversity conservation, which has been signed by every Central African country, and which is linked to multilateral funding for the environment sector.

¹² Cameroon, Gabon, Republic of Congo, Democratic Republic of Congo, Central African Republic, Uganda, Rwanda, Burundi only included in this analysis.

¹³ According to IUCN classification categories I to VI.

¹⁴ **WWF, 2006**: *A Vision for Biodiversity Conservation in Central Africa: Biological Priorities for Conservation in the Guinean-Congolian Forest and Freshwater Region*. Washington DC: WWF-US.

¹⁵ The 1994 Forest Law in Cameroon, for example.

¹⁶ **UNECE and UNFAO, 2006**: *Annual Market Review 2005-2006*. Rome: FAO.

¹⁷ Globally the World Bank/WWF Alliance is aiming for independent certification of 200 million hectares under sustainable management.

¹⁸ www.fsc.org

¹⁹ Letter to FSC November 2006 from Friends of the Earth Cameroon, Netherlands, and France; the Centre for Environment and Development, Cameroon; the Forest Peoples Programme, UK ,and Greenpeace International.

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